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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,962	02/10/2004	Blair Cooper	ID-912 (80236)	1603

7590	06/01/2005

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EXAMINER
DALENCOURT, YVES

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 February 2004*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 October 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
       application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date *2/10/04 & 10/07/04*.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

This office action is responsive to communication filed on 02/10/2004.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1 – 16 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 - 16 of copending Application No. 10/775,674 in view of O'Donnell et al (US 2004/0117615).

Claims 1, 7, and 11 of copending Application No. 10/775,674 claim all the limitations of claims 1, 7, and 11 of US Application No. 10/775,962, except for the limitations of a plurality of communications devices having a plurality of user accounts associated therewith, and application server for accessing the user accounts via the HTTP client application.

However, O'Donnell teaches, in an analogous art, an access site that allows a client application to access a server application on behalf of a subscriber who has an account at the client site (see paragraphs [0017,[0023], and [0033] – [0034].

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify US Application No. 10/775,674 by incorporating the use of a plurality of communications devices having a plurality of user accounts associated therewith, and application server for accessing the user accounts via the HTTP client application as evidenced by O'Donnell for the purpose of improving on the ability of subscribers to grant access rights, particularly in environments where client applications request server applications to process subscriber data on behalf of subscribers.

Claims 2, 4 – 6, 9 – 10, 12, and 14 – 16 US Application No. 10/775,962 are the same as claims 2 – 6, 8 – 10, and 12 – 16 of copending Application No. 10/775,674.

This is a <u>provisional</u> obviousness-type double patenting rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1 – 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Binding et al (US 6,775,687; hereinafter Binding) in view of O'Donnell et al (US 2004/0117615).

Regarding claim 1, a communications system (fig. 3B) comprising a plurality of communications devices connected together in a network (item 300, fig. 3B), at least one of said communications devices processing requests using a hypertext transfer protocol (HTTP) client application associated therewith (col. 7, lines 10 - 20); an application server for processing requests (305, fig. 3B); and an HTTP server for interfacing said HTTP client application with said application server (col. 7, lines 34 - 36); said HTTP server and said HTTP client application formatting requests to be communicated therebetween in an HTTP format via the Internet (col. 7, lines 10 - 20), and each providing additional state information with the HTTP formatted requests recognizable by the other for authenticating the application server and said HTTP client application to one another (col. 7, lines 36 – 53; col. 7, line 54 through col. 8, line 23); said HTTP client application requesting a first universal resource locator (URL) from said HTTP server for accepting work requests from said application server (310, fig. 3C; col.8, lines 58 - 67), and requesting a second URL different from the first URL from said HTTP server for responding to work requests from said application server (312, fig. 3C; col. 8, line 67 through col. 9, line 5; col. 10, lines 46 - 49).

Binding teaches substantially all the limitations, except for the limitations of a plurality of communications devices having a plurality of user accounts associated therewith, and application server for accessing the user accounts via the HTTP client application.

However, O'Donnell teaches, in an analogous art, an access site that allows a client application to access a server application on behalf of a subscriber who has an account at the client site (see paragraphs [0017,[0023], and [0033] – [0034].

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify US Application No. 10/775,674 by incorporating the idea of a plurality of communications devices having a plurality of user accounts associated therewith, and application server for accessing the user accounts via the HTTP client application as evidenced by O'Donnell for the purpose of improving on the ability of subscribers to grant access rights, particularly in environments where client applications request server applications to process subscriber data on behalf of subscribers.

Regarding claim 2, Binding and O'Donnell teach all the limitations in claim 1, and Binding further teaches that the additional state information comprises a global unique identifier (GUID) associated with said HTTP client application (col. 9, lines 3 – 5; col. 9, lines 30 – 38; col. 11, lines 9 – 13; Binding discloses that additional supplemental information is needed from the client, and a request header identifying the supplemental information needed).

Regarding claim 3, Binding and O'Donnell teach all the limitations in claim 1, but fail to specifically teach that the user accounts comprise email accounts. However, **Official Notice** is taken by the examiner that the limitation of the user accounts comprise email accounts is old and well known in the art. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify

the teachings of Binding and O'Donnell by incorporating an email account for the

purpose of managing efficiently emails sent or received.

Regarding claim 4, Binding and O'Donnell teach all the limitations in claim 1, and

Binding further teaches that said HTTP client application and said HTTP server further

provide sequencing information with the HTTP formatted requests (col. 10, lines 1 - 21).

Regarding claim 5, Binding and O'Donnell teach all the limitations in claim 1, and

Binding further teaches the communications system of claim 1 wherein said HTTP client

application and said HTTP server format the additional state information as HTTP

headers for respective HTTP formatted requests (col. 8, lines 41 - 44).

Regarding claim 6, Binding and O'Donnell teach all the limitations in claim 1, and

Binding further teaches the communications system of claim 1 wherein said at least one

communications device is within a protected computing environment (col. 8, lines 6 –

23; Binding discloses that suppose that a server, responding to a client's initial request

for content protected with access controls, sends a REDIRECT message to the client

with a request header asking for the client's password).

Regarding claim 7, Binding teaches a communications system (fig. 3B)

comprising a plurality of communications devices connected together in a network (item

300, fig. 3B), at least one of said communications devices processing requests using a

hypertext transfer protocol (HTTP) client application associated therewith (col. 7, lines

10 - 20); an application server for processing requests (305, fig. 3B) ; and an HTTP

server for interfacing said HTTP client application with said application server (col. 7,

lines 34 - 36); said HTTP server and said HTTP client application formatting requests to

be communicated therebetween in an HTTP format via the Internet (col. 7, lines 10 -

20), and each providing a global unique identifier (GUID) associated with said HTTP

client application with the HTTP formatted requests for authenticating the application

server and said HTTP client application to one another (col. 7, lines 36 – 53; col. 7, line

54 through col. 8, line 23; col. 9, lines 3 – 5); said HTTP client application requesting a

first universal resource locator (URL) from said HTTP server for accepting work

requests from said application server (310, fig. 3C; col.8, lines 58 - 67), and requesting

a second URL different from the first URL from said HTTP server for responding to work

requests from said application server, and said HTTP client application and said HTTP

server further providing sequencing information with the HTTP formatted requests (312,

fig. 3C; col. 8, line 41 through col. 9, line 5; col. 10, lines 46 - 49).

Binding teaches substantially all the limitations, except for the limitations of a

plurality of communications devices having a plurality of user accounts associated

therewith, and application server for accessing the user accounts via the HTTP client

application.

However, O'Donnell teaches, in an analogous art, an access site that allows a

client application to access a server application on behalf of a subscriber who has an

account at the client site (see paragraphs [0017,[0023], and [0033] – [0034].

Thus, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify US Application No. 10/775,674 by incorporating the idea

of a plurality of communications devices having a plurality of user accounts associated

therewith, and application server for accessing the user accounts via the HTTP client

application as evidenced by O'Donnell for the purpose of improving on the ability of

subscribers to grant access rights, particularly in environments where client applications

request server applications to process subscriber data on behalf of subscribers.

Regarding claim 8, Binding and O'Donnell teach all the limitations in claim 7, but

fail to specifically teach that the user accounts comprise email accounts. However,

Official Notice is taken by the examiner that the limitation of the user accounts

comprise email accounts is old and well known in the art. Thus, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to modify

the teachings of Binding and O'Donnell by incorporating an email account for the

purpose of managing efficiently emails sent or received.

Regarding claim 9, Binding and O'Donnell teach all the limitations in claim 7, and

Binding further teaches the communications system of claim 7 wherein said HTTP client

application and said HTTP server format the additional state information as HTTP

headers for respective HTTP formatted requests (col. 8, lines 41 - 44).

Regarding claim 10, Binding and O'Donnell teach all the limitations in claim 7,

and Binding further teaches the communications system of claim 7 wherein said at least

one communications device is within a protected computing environment (col. 8, lines 6

– 23; Binding discloses that suppose that a server, responding to a client's initial

request for content protected with access controls, sends a REDIRECT message to the

client with a request header asking for the client's password).

Regarding claim 11, Binding teaches a method for exchanging supplemental

information (fig. 3B) comprises a plurality of communications device (item 300, fig. 3B)

using an application server (item 305, fig. 3B), the communications devices being
connected together in a network, and at least one of the communications devices
processing requests using a hypertext transfer protocol (HTTP) client application
associated therewith (col. 7, lines 10 - 20), the method comprising interfacing the
application server with the HTTP client application using an HTTP server (col. 7, lines
34 - 36), the HTTP server and the HTTP client application formatting requests to be
communicated therebetween in an HTTP format via the Internet (col. 7, lines 10 - 20),
and each providing additional state information with the HTTP formatted requests
recognizable by the other for authenticating the application server and the HTTP client
application to one another (col. 7, lines 36 – 53; col. 7, line 54 through col. 8, line 23;
col. 9, lines 3 – 5); and using the HTTP client application to request a first universal
resource locator (URL) from the HTTP server for accepting work requests from the
application server (310, fig. 3C; col.8, lines 58 - 67), and to request a second URL
different from the first URL from the HTTP server for responding to work requests from
the application server (312, fig. 3C; col. 8, line 67 through col. 9, line 5; col. 10, lines 46
- 49).

Binding teaches substantially all the limitations, except for the limitation of
accessing a plurality of user accounts associated with a plurality of communications
device using an application server.

However, O'Donnell teaches, in an analogous art, an access site that allows a
client application to access a server application on behalf of a subscriber who has an
account at the client site (see paragraphs [0017,[0023], and [0033] – [0034].

Thus, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify US Application No. 10/775,674 by incorporating the idea

of accessing a plurality of user accounts associated with a plurality of communications

device using an application server as evidenced by O'Donnell for the purpose of

improving on the ability of subscribers to grant access rights, particularly in

environments where client applications request server applications to process

subscriber data on behalf of subscribers.

Regarding claim 12, Binding and O'Donnell teach all the limitations in claim 11,

and Binding further teaches that the additional state information comprises a global

unique identifier (GUID) associated with the HTTP client application (col. 9, lines 3 – 5;

col. 9, lines 30 – 38; col. 11, lines 9 – 13; Binding discloses that additional supplemental

information is needed from the client, and a request header identifying the supplemental

information needed).

Regarding claim 13, Binding and O'Donnell teach all the limitations in claim 11,

but fail to specifically teach that the user accounts comprise email accounts. However,

Official Notice is taken by the examiner that the limitation of the user accounts

comprise email accounts is old and well known in the art. Thus, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to modify

the teachings of Binding and O'Donnell by incorporating an email account for the

purpose of managing efficiently emails sent or received.

Regarding claim 14, Binding and O'Donnell teach all the limitations in claim 11,

and Binding further teaches that the HTTP client application and the HTTP server

further provide sequencing information with the HTTP formatted requests (col. 10, lines 1 - 21).

Regarding claim 15, Binding and O'Donnell teach all the limitations in claim 11, and Binding further teaches that the HTTP client application and the HTTP server format the additional state information as HTTP headers for respective HTTP formatted requests (col. 8, lines 41 - 44).

Regarding claim 16, Binding and O'Donnell teach all the limitations in claim 11, and Binding further teaches that the at least one communications device is within a protected computing environment (col. 8, lines 6 – 23; Binding discloses that suppose that a server, responding to a client's initial request for content protected with access controls, sends a REDIRECT message to the client with a request header asking for the client's password).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

O'Donnell et al (US 2004/0117615) discloses a granting access rights to unattended software.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yves Dalencourt whose telephone number is (571) 272-3998. The examiner can normally be reached on M-TH 7:30AM - 6: 00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yves Dalencourt
May 30, 2005